S.B.CRIMINAL MISC. BAIL APPLICATION NO.5424/2007
(Mani Ram & Anr. vs. State of Rajasthan)

DATE OF ORDER : November 19, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.Kulwant Singh for the petitioners.
Mr.Ashok Upadhyaya, Public Prosecutor for State.

Heard learned counsel for the petitioners and the Public Prosecutor for the State. Perused the order impugned and the police investigation diary. I have also gone through the statement of injured Bhagirath as also his injury report.

Petitioner No.1 Mani Ram was armed with an axe and inflicted injuries to injured Bhagirath. There is an incised wound. In this view of the matter, I do not find it a fit case to grant anticipatory bail to petitioner No.1 Mani Ram.

The bail application filed by petitioner No.1 Mani Ram under section 438 Cr.P.C. is, therefore, dismissed.

So far as petitioner No.2 Hadman alias Hanuman is concerned, it is alleged that he inflicted injuries on the hand, which did not corroborate from the medical evidence i.e. injury report. In this view of the matter, and having considered the oral arguments advanced by learned counsel for the parties, I consider it just and proper to grant anticipatory bail to petitioner No.2.

Accordingly, the bail application filed by petitioner No.2. under section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioner No.2 Hadman alias Hanuman s/o Mani Ram in FIR No.585/2007, Police Station, Hanumangarh Junction, he shall be released on bail for a period till the police concludes the investigation and files the challan provided he furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

Petitioner No.2 shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-